IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:05CV318-MU

TIFFANY WATKINS)	
Plaintiff,)	
)	<u>ORDER</u>
VS.)	
COSTCO CORPORATION)	
Defendant.)	
)	

THIS MATTER is before the court upon Defendant's Motion to Compel Discovery. It appears to the Court that Plaintiff has repeatedly agreed to provide discovery but failed to comply with deadlines, causing some degree of expense to Defendant. Further, it appears that Defendant has tried in good faith but to no avail to remedy the problem without the Court's intervention. There remains no other option but for the Court to compel Plaintiff to comply with discovery rules, as authorized under Rule 37 of the Federal Rules of Civil Procedure.

Further, Rule 37(a)(4) requires the Court to grant an award of attorneys' fees incurred in bringing this motion except under unusual circumstances. No such circumstances exist here. After reviewing Defendant's billing record, the fees incurred appear reasonable. Plaintiff's Motion to Compel Discovery is hereby GRANTED.

IT IS THEREFORE ORDERED that Plaintiff must provide Defendant with her Initial Disclosures as required under Rule 26(a) of the Federal Rules of Civil Procedure, and full and complete responses (including documents) to Defendant's First Set of Interrogatories and First Request for Production of Documents within ten (10) days of the issuance of this order. Plaintiff is

also directed to pay Defendant's attorneys' fees in the amount of \$1,567.50.

Signed: February 24, 2006

Graham C. Mullen

United States District Judge